

Applic. No.: 09/632,248
Response Dated June 2, 2006
Reply to Office action of February 2, 2006

REMARKS/ARGUMENTS

Reconsideration of the application is requested.

Claims 1-3, 6-15, 18-19, and 21-22 remain in the application.

In item 3 on pages 2-4 of the above-mentioned Office action, claims 1-3, 7-8, 12-15, and 19 have been rejected as being unpatentable over Locker et al. (US 6,077,483) under 35 U.S.C. § 103(a).

In item 4 on pages 4-5 of the above-mentioned Office action, claims 6 and 18 have been rejected as being unpatentable over Locker et al. in view of Ten Eyck (US 4,999,168) under 35 U.S.C. § 103(a).

In item 5 on page 5 of the above-mentioned Office action, claims 9-11 and 21-22 have been rejected as being unpatentable over Locker et al. in view of Santiago et al. (US 4,344,922) and Ten Eyck (US 4,999,168) under 35 U.S.C. § 103(a).

As will be explained below, it is believed that the claims were patentable over the cited art in their existing form and the claims have, therefore, not been amended to overcome the references.

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Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claim 1 calls for, inter alia:

compensating layer disposed between said casing and said honeycomb element and wound around said honeycomb element, said compensating layer including:

a swelling mat with border regions at risk from abrasion;

an insulating mat having a border and an inner region;

said border of said insulating mat having a thicker region at least at one end of said honeycomb element than at said inner region.

Claim 12 calls for, inter alia:

an insulating mat with a border and an inner region, said inner region having a given thickness and said border of said insulating mat being thicker than said inner region at least in parts thereof.

Locker et al. disclose coatings, which include inter alia fibrous materials (see, e.g. column 4, lines 54-65). However, the only way of applying these coatings is by brushing (see column 6, lines 4-7). Although the term "mat" is not defined in the instant application, it is clear that a person skilled in the art would understand that the term "mat" requires a material at least processing some characteristics related to a coarse, woven, plated, or felted fabric, as set forth in the Board's decision (see the paragraph bridging pages 6 and 7).

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Locker et al. do not disclose how a coarse, woven, plated, or felted fabric can be produced by the method of brushing ceramic fibers.

Further, Locker et al. do not contain any hint how a mat as understood in the Board's decision can be produced by brushing. A person skilled in the art would, therefore, not have reasonably expected applying coatings by brushing to result in a mat layer.

Claims 1 and 12 are, therefore, believed to be patentable over the art and since all of the dependent claims are ultimately dependent on claims 1 or 12, they are believed to be patentable as well.

In view of the foregoing, reconsideration, and allowance of claims 1-3, 6-15, 18-19, and 21-22 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate a telephone call so that, if possible, patentable language can be worked out.

Petition for extension is herewith made. The extension fee for response within a period of one month pursuant to Section

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1.136(a) in the amount of \$120.00 in accordance with Section
1.17 is enclosed herewith.

Please charge any fees which might be due with respect to 37
CFR Sections 1.16 and 1.17 to the Deposit Account of Lerner
Greenberg Stemer LLP, No. 12-1099.

Respectfully submitted,


For Applicant

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YC

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